



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE May 6, 2005	CONTACT/PHONE Martha Neder, AICP 781-4576	APPLICANT Robert and Mary Jo Poudrette	FILE NO. DRC2004-00053
EFFECTIVE DATE May 20, 2005			
SUBJECT Request by Robert and Mary Jo Poudrette for a Minor Use Permit to allow the construction of a 1,200 square foot secondary dwelling and driveway approximately 64 feet from the primary residence. The project will result in the disturbance of approximately 2,500 square feet of a 3 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 485 Dorothy Lane, in the community of Callendar Garrett. The site is in the South County (Inland) planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2004-00053 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on March 30, 2005 (ED04-443)			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 091-173-025	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: None applicable.			
LAND USE ORDINANCE STANDARDS: 22.10.090 - Height Measurements, 22.10.140 - Setbacks, 22.30.470 - Secondary Dwellings Does the project conform to the Land Use Ordinance Standards: Yes - see discussion			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on May 20, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Single-family residence			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban/Residences East: Residential Suburban/Residences South: Residential Suburban/Residences West: Residential Suburban/Residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: CDF, Public Works, CalTrans, RWQCB, City of Arroyo Grande	
TOPOGRAPHY: Level	VEGETATION: Grasses, ornamentals, pines
PROPOSED SERVICES: Water supply: Well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: March 30, 2005

DISCUSSION

LAND USE ORDINANCE STANDARDS:

22.10.090 - Height Measurements: Maximum Height for a residence is 35 feet. As proposed, the project meets this standard.
 22.10.140 - Setbacks: Setbacks for the project site are 25 feet in the front and 30 feet on the sides and rear of the property.
 22.30.470 Secondary Dwellings: This section requires a secondary dwelling on a parcel with a minimum of 2.5 acres, in a land use category other than Residential Single-Family served by on-site water and septic to:

- be located on a maintained road that is surfaced with chip seal or better,
- provide one off-street parking space,
- be architecturally compatible with the primary dwelling,
- be a maximum of 800 square feet in size, and
- be located a maximum of 50 feet away from the primary dwelling.

This section allows the Review Authority to approve exceptions to design standards to allow a waiver of the distance requirement with approval of a discretionary land use permit. This Conditional Use Permit application is to allow a waiver of the design standards related to size and distance from the primary dwelling. The applicant proposes a 1,200 square foot secondary dwelling located 64 feet from the primary dwelling in order to accommodate a 1,200 square foot manufactured home while avoiding impacts to existing trees and water facilities.

STAFF COMMENTS:

When considering a waiver request staff evaluates if the location and size of the secondary dwelling will cause any potential environmental or aesthetic concerns and verifies compatibility with the neighborhood. After visiting the site staff believes the additional distance and size will not cause any of the previously mentioned concerns and is compatible with the area.

Environmental Consideration: The proposed building site for the proposed primary residence is level and vegetated with grasses. Development will require minimal site disturbance. Several small pine trees, a shed, a water well, and water tanks are located in the area between the primary residence and the proposed secondary dwelling. With regard to drainage, the project has been conditioned to submit a drainage plan to be approved by the Public Works Department prior to the issuance of a building permit for the secondary dwelling.

Aesthetic Consideration: The secondary residence will be aesthetically compatible with the proposed primary residence.

Neighborhood Compatibility: The area is zoned Residential Suburban and consists of primarily one+ acre lots built out with single-family residences. An additional unit is allowed under Section 22.30.480 and Section 22.30.470 is compatible with the existing area and use.

Staff recommends approval of the size and distance modification because there will be no significant site disturbance, existing vegetation and well facilities preclude development within 50 feet of the primary residence, and the 1,200 square foot secondary dwelling will be visually compatible with the existing residence and surrounding neighborhood.

COMMUNITY ADVISORY GROUP COMMENTS:

AGENCY REVIEW:

Public Works – Recommend approval

CDF – Residential Fire Safety Plan

Arroyo Grande – Requests development impact fees for traffic and fire be paid to city as well as county. No other concerns.

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Martha Neder
and reviewed by Kami Griffin

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project is considered new construction of limited small new facilities that will not cause a significant impact to the environment.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies/does not satisfy all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the (describe project) does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the secondary dwelling is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Osage Road, a collector road constructed to a level able to handle any additional traffic associated with the project

Secondary Dwelling Adjustments

- Y. Modification of the size a secondary dwelling from 800 square feet to 1200 square feet and modification of the distance a secondary dwelling can be located from a primary dwelling from 50 feet to 64 feet from the primary dwelling is justified because there are specific conditions of the site that make the standard unnecessary. These conditions consist of no significant site disturbance as a result of the construction of the secondary dwelling, existing vegetation and well facilities that preclude development within 50 feet of the primary residence, and that the 1,200 square foot secondary dwelling will be visually compatible with the existing residence and the surrounding neighborhood.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes
 - a. location of a secondary dwelling approximately 64 feet from the main residence.
 - b. maximum height is 35 from average natural grade.
 - c. a 1,200 square foot secondary dwelling.

Requirements Prior to Issuance or at the Time of Submittal of a Construction Permit **Drainage**

2. Prior to the issuance of building permits, the applicant shall provide a drainage plan to the Public Works Department for review and approval, subject to Section 23.05.044 of the Land Use Ordinance.

Fire Safety

3. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.
4. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

Services

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal can be installed on the site.

Miscellaneous

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Requirements Prior to Occupancy

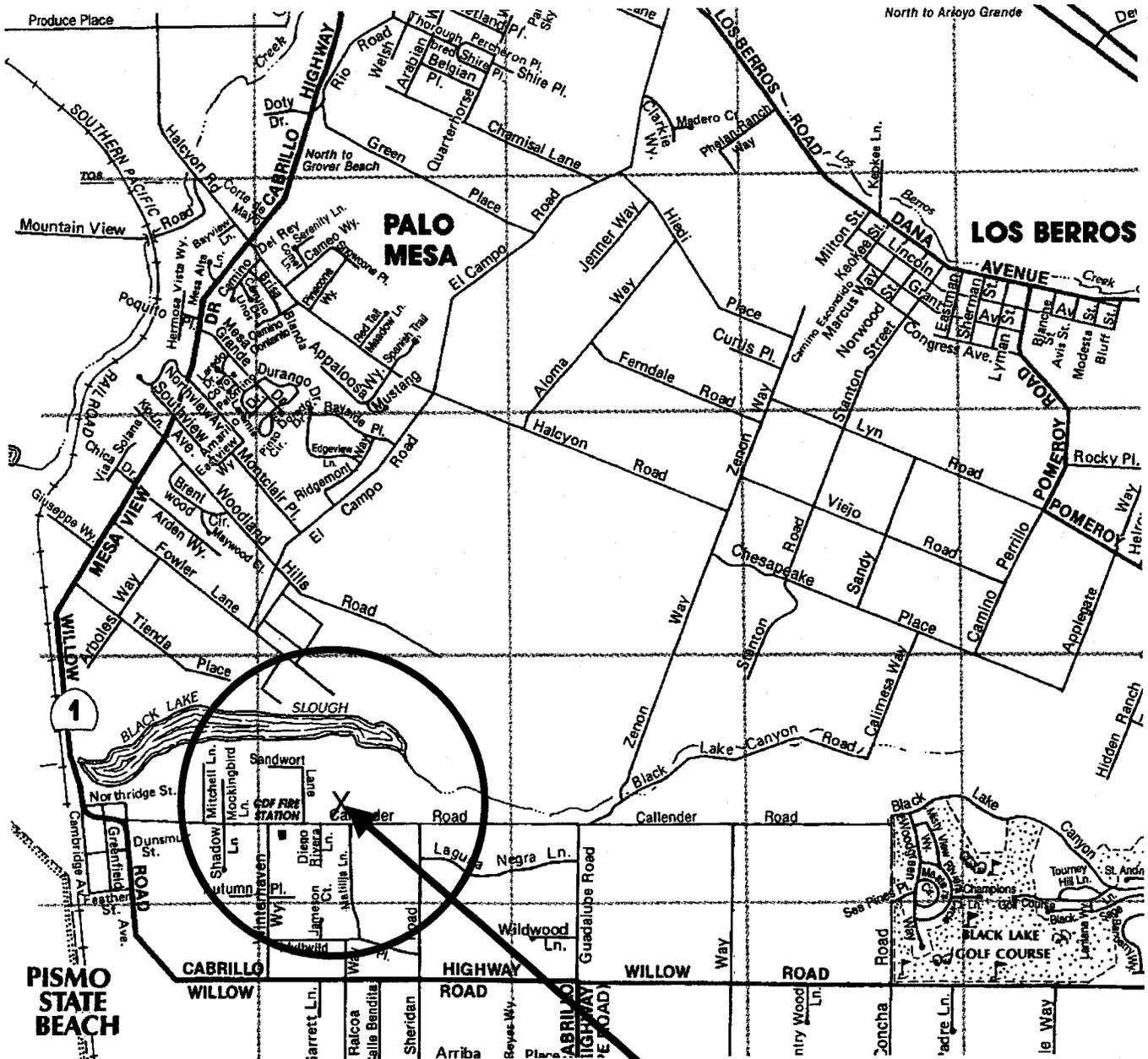
8. **Prior to occupancy of any structure** associated with this approval, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

Miscellaneous Requirements

Owner Occupancy Requirement

9. No secondary dwelling shall be allowed on the site unless an owner of the site agrees to occupy one unit on the site as his or her primary residence. Prior to final inspection, the applicant for the second unit shall record a notice against the property notifying any subsequent purchaser that failure to meet this requirement will subject the second unit to abatement by the county pursuant to Chapter 22.74 of this title.

10. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
11. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.



SITE

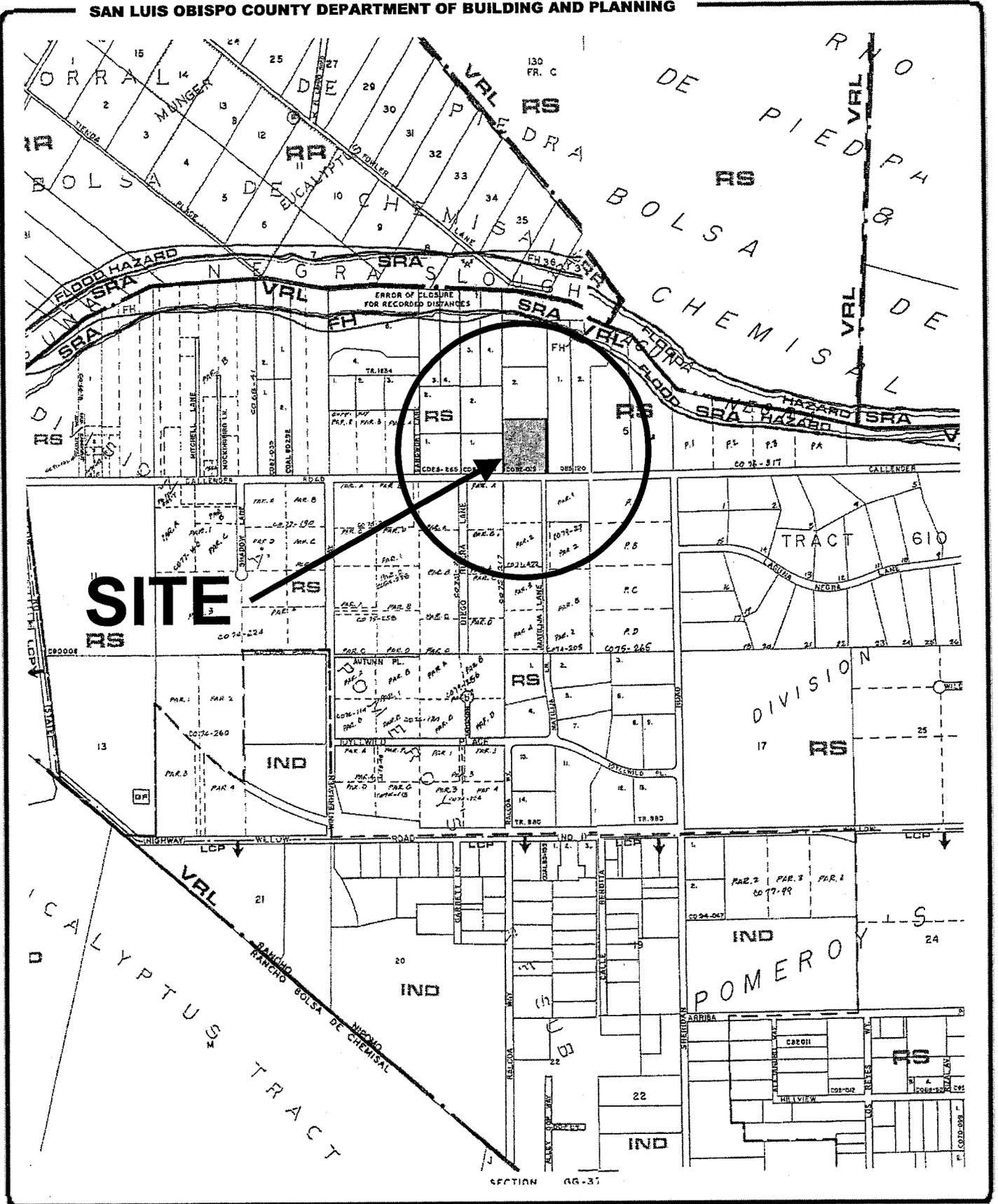
PROJECT

Minor Use Permit
Elston DRC2004-00053



EXHIBIT

Vicinity Map

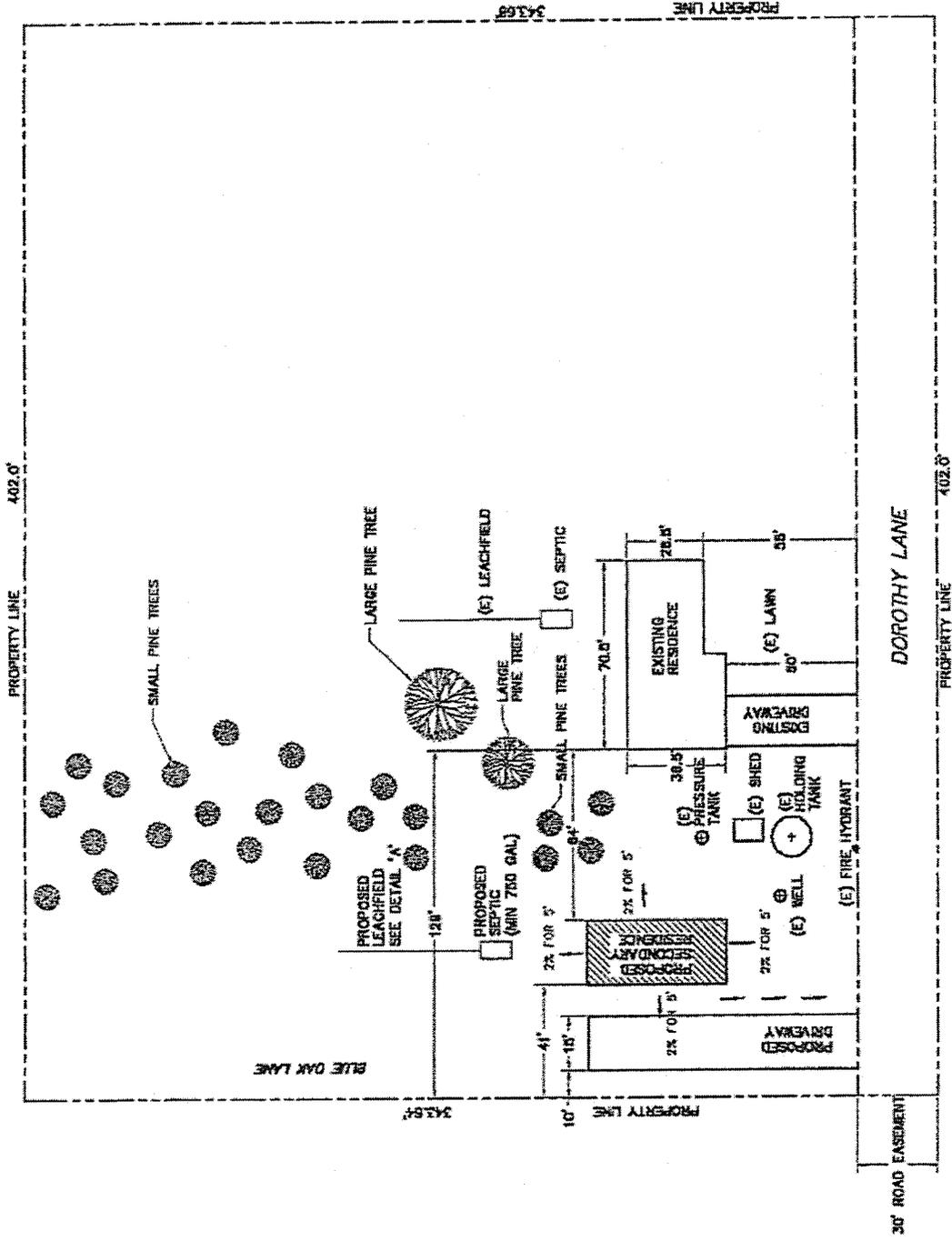


PROJECT
Minor Use Permit
Elston DRC2004-00053



EXHIBIT
Land Use Category Map

CALLENDER ROAD



SITE PLAN
1"=60'

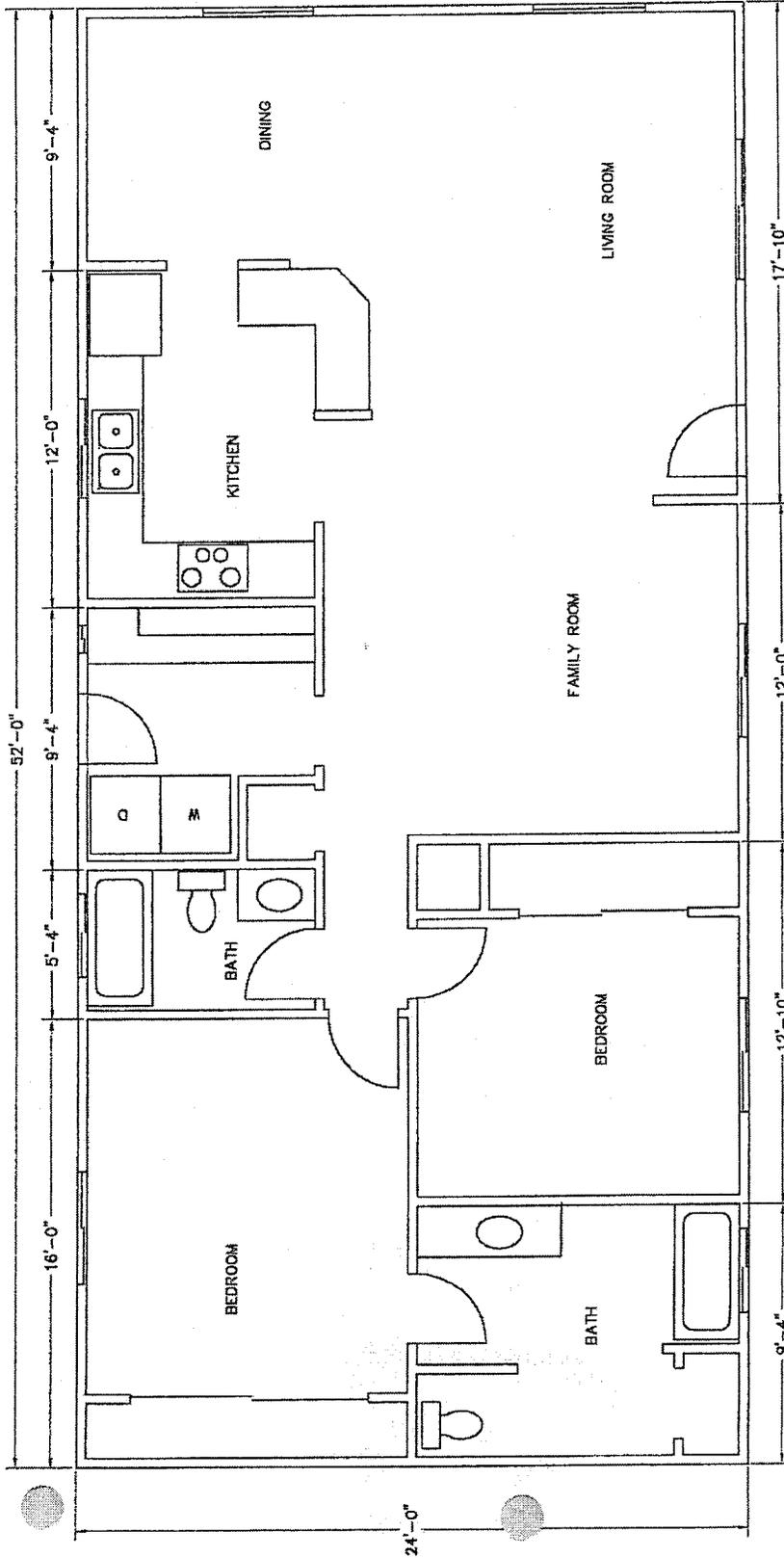
PROJECT

Minor Use Permit
Elston DRC2004-00053



EXHIBIT

Site Plan



PROPOSED FLOOR PLAN

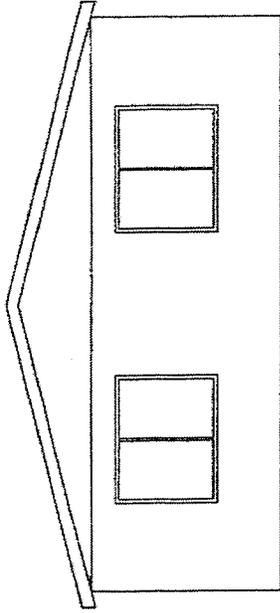
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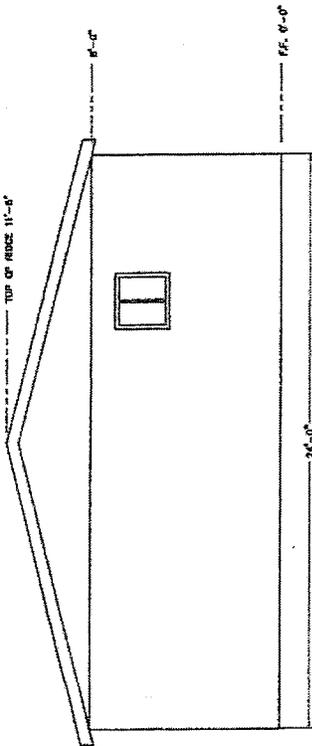


EXHIBIT

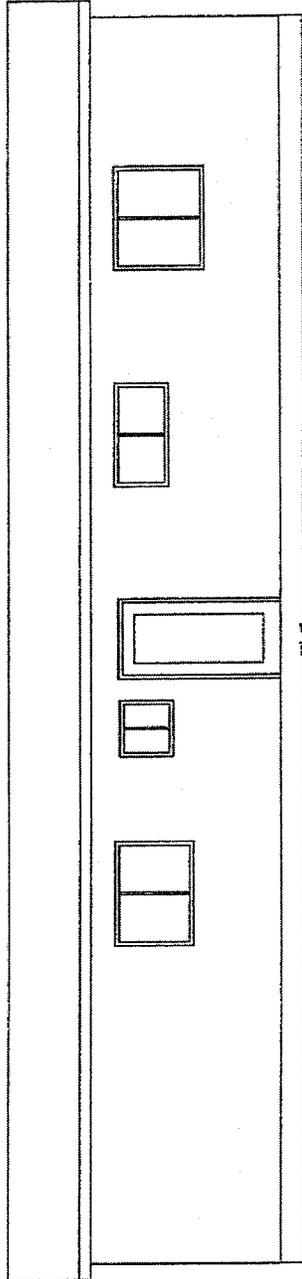
Floor Plan



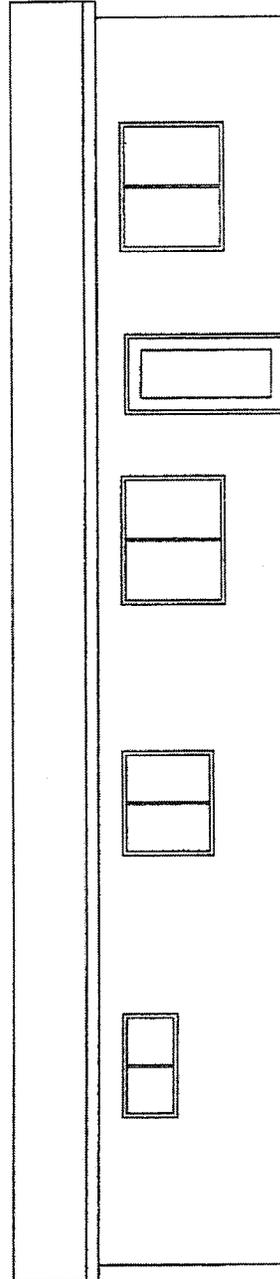
FRONT ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

PROJECT

Minor Use Permit
Elston DRC2004-00053



EXHIBIT

Elevations



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP DIRECTOR

THIS IS A NEW PROJECT REFERRAL

RECEIVED

SEP 07 2004

CITY OF ARROYO GRANDE

ELSTON

DRC 2004-00053 Project Name and Number

DATE: 9/2/04 TO: City of A.G. FROM: South Co. Team (Please direct response to the above)

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION: MUP -> manufactured home 1200 sq. ft. Located in A.G., north of Hwy. 1, off Dorothy Ln. APN: 091-173-025. (Arroyo Grande address w/in Nipomo Vicinity.) See maps. 3.41 Acres. Increase in dwelling size to accommodate handicap living needs

Return this letter with your comments attached no later than: 9/17/04 Thank you.

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW? YES (Please go on to Part II) NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW? NO (Please go on to Part III) YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

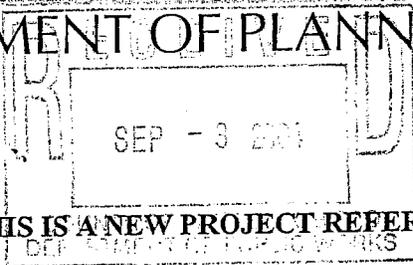
City requests that development impact fees for traffic and fire be paid to City as well as County for mitigation of these cumulative effects. No other concerns with secondary dwelling being manufactured

Sept 9, 2004 Date Rob Strong, Comm. Dir. Director Name City of Arroyo Grande 4735420 Phone



6

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING



VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 9/2/04
FROM PW



South Co. Team
(Please direct response to the above)

ELSTON
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This is an application for a secondary dwelling - lowering the
size limitation. Recommend approval - IF Dorothy Lane is not currently
paid, ord. calls for at least a DBL CURB SEAL, IF WORK IS DONE IN
R/W of Calendar Road an Encroachment Permit will be needed.

22 Sep 04 Goodwin 5252
Date Name Phone



CDF/San Luis Obispo County Fire

Residential Fire Safety Plan

IMC

Date: September 20, 2004

Project Number(s): DRC 2004-00053	Name: South County Team County Government Center San Luis Obispo, CA 93408
Project Location: 485 Dorothy Lane, Arroyo Grande, CA	Cross Street: Callender Road
Mailing Address: Robert & Mary Jo Poudrette 485 Dorothy Lane	City/State/Zip: Arroyo Grande, CA 93420
Phone Number(s): (805) 343-1437	
Notes: 1200 SF dwelling. Project listed under "Elston"	

The following **checked** items are required to be completed prior to final inspection of this project. When you have completed each item checked, initial and date that they are completed. When all items checked are completed please call for a fire department final inspection, **(805)543-4244 ext. 2220**. Inspections will be completed on the following Tuesday for South County and Thursday for the North County. Please have County issued permit card on site and visible.

This project is located approximately 1 to 5 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following standards are required:	Owner/Agent Initials
<input checked="" type="checkbox"/> 30-foot building setback from property line	
<input type="checkbox"/> A residential fire sprinkler system is required (NFPA 13D)	
<input checked="" type="checkbox"/> Water storage tank required that gravity feeds a residential fire connection	
2500 gallons of water storage required	
<input checked="" type="checkbox"/> Automatic Fill	
<input checked="" type="checkbox"/> Sight gage	
<input checked="" type="checkbox"/> Venting System	
<input checked="" type="checkbox"/> Minimum 4-inch plumbing schedule 40 PVC or iron pipe	
<input checked="" type="checkbox"/> System gravity drain	
<input checked="" type="checkbox"/> Fire connection located on the approach to the structures	
<input checked="" type="checkbox"/> Fire connection must be located not less than 50 feet, no more than 150 feet from the structure	
<input checked="" type="checkbox"/> Fire connection is within 8-feet of the driveway and 24 inches above grade	
<input checked="" type="checkbox"/> Fire connection outlet valve must be a 2-1/2" brass National Standard male thread with cap. The outlet must face toward the driveway	
<input checked="" type="checkbox"/> If fire connection has less than 20 psi, then the word "DRAFT" will be clearly and permanently marked on the fire connection	
<input checked="" type="checkbox"/> Blue dot reflector located near fire connection	
<input type="checkbox"/> A fire hydrant is required that can deliver gallons per minute for 2 hours.	
<input type="checkbox"/> Two 2 1/2" outlets and one 4" outlet with National Standard threads	
<input type="checkbox"/> Within 8 feet of the roadway	
<input type="checkbox"/> Blue dot reflector on roadway just off center on the side of the hydrant	
<input type="checkbox"/> Located within 250 feet of the residence	
<input checked="" type="checkbox"/> 18- foot access road required	

<input checked="" type="checkbox"/> All weather surface	
<input checked="" type="checkbox"/> 10 foot fuel modification on both sides of road	
<input checked="" type="checkbox"/> Where exceeds 12% grade must be nonskid surface	
<input checked="" type="checkbox"/> Exceeds 16% must be certified by an engineer	
<input checked="" type="checkbox"/> Road must be named using the County standard signage	
<input checked="" type="checkbox"/> Driveway must be 16 feet wide	
<input checked="" type="checkbox"/> All weather surface capable of supporting 20 tons	
<input checked="" type="checkbox"/> Where exceeds 12% grade must be nonskid surface	
<input checked="" type="checkbox"/> Exceeds 16% must be certified by an engineer	
<input checked="" type="checkbox"/> 10 foot fuel modification on both sides of the road	
<input checked="" type="checkbox"/> Fire engine turnaround required within 50 feet of residence	
<input checked="" type="checkbox"/> Driveways exceeding 150 feet require a turnout(s) at midpoint and no more than 400 feet apart	
<input type="checkbox"/> Bridge is required to support a fire engine 20 tons	
<input type="checkbox"/> Bridge must have a sign indicating load limits	
<input checked="" type="checkbox"/> 30 feet of fuel modification is required for defensible space	
<input checked="" type="checkbox"/> Remove limbs located within 10 feet of chimney	
<input checked="" type="checkbox"/> A Class B non combustible roof is required	
<input checked="" type="checkbox"/> Highly visible permanent address numbers shall be placed at the driveway entrance (minimum 3" letters height, 3/8 inch stroke).	
<input checked="" type="checkbox"/> Highly visible address numbers shall be placed on the residence(s) (minimum 3" letters height, 3/8 inch stroke).	
<input checked="" type="checkbox"/> Smoke detectors are required in all sleeping areas	
Other Requirements:	

When the safety requirements have been completed, call the Fire Prevention Bureau at 543-4244 ext. 2220 and arrange for a final inspection.

Chad Zrelak

Chad Zrelak, Fire Captain